IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

WP(C).No. 29239 of 2006(E)

PETITIONER:

K.K.SHIHAB, AGED 26 YEARS,
DRIVER, S/O.KOYAMON, KANNANKERAN HOUSE,
BABY ROAD, THIRUVATHRA P.O., CHAVAKKAD,
THRISSUR DISTRICT.

BY ADV. SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH
SRI.T.S.HARIKUMAR

RESPONDENTS:
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1. KERALA COASTAL ZONE MANAGEMENT AUTHORITY
REPRESENTED BY ITS SECRETARY, SCIENCE TECHNOLOGY
AND ENVIRONMENT DEPARTMENT, SASTHRA BHAVAN,
THIRUVANANTHAPURAM.

2. CHAVAKKAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
CHAVAKKAD.

BY ADV.SRI.M.K.CHANDRAMOHANDAS, SC FOR
CHAVAKKAD MUNICIPALITY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 29239 OF 2006

Dated this the 10th day of November, 2006

J U D G M E N T

Mr.P.B.Sahasranaman, counsel for the petitioner submits that the 2nd respondent-Municipality is making arrangements to start a burning and burial ground on the property belonging to the Municipality under the guise of constructing a compound wall. Sri.M.K.Chandramohan Das, counsel for the Municipality would invite my attention to Exhibit P3 judgment and state that under Exhibit P3, the Municipality has been permitted to construct a compound wall. Municipality does not intend to do anything other than putting up a compound wall which is necessary for securing the property. I record the above submissions of the learned counsel for the Municipality. Exhibit P5 application has been submitted by the petitioner before the Coastal Zone Management Authority-first respondent. The first respondent will take up Exhibit P5, issue notice to the 2nd respondent also, hear the petitioner as well as the 2nd respondent and take a correct and just decision on Exhibit P5. It is made clear that under Exhibit P3 judgment of this court, the Municipality has got the right to

construct a compound wall for their property.

2. I reiterate the observations in paragraph 3 of Exhibit P3 judgment.

The writ petition is disposed of as above.

PIUS C.KURIAKOSE, JUDGE

Rp